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when the judges say, when we set up the judges retirement, their's also was similar to ours, they found their's constitutional quite naturally. I question, whether the state retirement board had the right to return anyones money without a court action, the Attorney General is generally right, but sometimes he is wrong. This is the first time I have ever seen where money has been, something has been done without court action, or a legislative change on an Attorney General's opinion. Now when was this done, it was done at a legislative council by a motion by Senator Carpenter, which is not the legislature. The legislative council is not the legislature, so that's illegal. The people involved were not here, the new legislator's that were elected were not here, legislative council was, is not the legislature. Now I know that possibly that this motion, if it doesn't go the way the committee has reported it, is going to, I have a feeling that it puts the Attorney General a little bit on the spot in the fact is he would have to try to do something, probably against his own ruling, but this isn't the first time for that. He's sometimes had to hire special counsel to do these things when he's done otherwise. He isn't always right. Now I, I don't know who suggested the image of the legislature in there, Senator Whitney, was it the Senators or the Attorney General? May I ask that before I go further.

PRESIDENT: Senator Whitney, do you care to respond?

SENATOR WHITNEY: It was Senator Luedtke, and myself, who questioned whether or not, the legislature's image would be hurt in this case, and I think Senator Luedtke would accept that. It's in the report.

PRESIDENT: Senator Syas.

SENATOR SYAS: Senator Luedtke, is not for retirement system anyhow in this legislature, so that would go according to hoyle, secondly, the image, we're worried about our image all the time, and it's pretty low any how, with or without this, I suppose the way to improve our image around here is to start standing up for something. Start taking the, taking the bullet, we've ducked everything, a Senator is worried about his four hundred dollars and his image. It's about time that we start doing something about this image and I think the people would, our image would go up, the people would think more of us, if we did some of these things even though maybe, they didn't always think we voted right. It's about time that we show a little back bone, in this legislature. We are pushed around by everybody, we are pushed around by the courts, the executive department, no wonder that the legislative bodies all over the United States and in Congress have lost their power, their image because they just go round and round, without coming to grips with problems. I think that, that we should not accept this report, it's a rather weak-kneed report in my book, I know that the Attorney General if he gets this report, he's made a ruling and of course this will exonerate him, that he is right, because we haven't got the probably the guts to do otherwise. I'm not critical of the Attorney General, don't interpret that, that I'm critical of his ruling, I'm merely saying that we don't have the, we won't probably because of image, do anything about, to try to settle this thing, in court, where it should be settled, and it should have been settled originally and we should settle it there now, and if you turn down this report, I'll certainly be willing to introduce a resolution for a friendly law suit, to find out just where we stand, on all these things, I think we should start finding out, and even, well of course, I think our best case is, that the judges was similar and found constitutional. How do you know the judges won't find this constitutional? Than You.